IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.459/2006

Ram Pratap S/o Shri Anandi Lal
...plaintiff-appellant
Versus
Ramji Lal S/o Chiranji Lal & Others
...defendant-respondents

Date of Order ::: 03.11.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri Rajeev Surana, Counsel for plaintiff-appellant
Shri Rakesh Sihag, Counsel for defendant-respondent
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By the Court:-

Heard learned counsel for the parties.

The plaintiff-appellant filed a suit for permanent injunction as well as injunction in mandatory form, which was dismissed by the lower court and the finding of the lower court has been affirmed by the first appellate court also.

I have considered the submissions of the learned counsel for both the parties in the light of the findings of both the courts below and I find that the controversial issues involved in the present case are relating to question of fact and there is concurrent finding of fact by both the courts below, which cannot be interfered with by this court in

second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed at admission stage itself with no order as to costs.

(Narendra Kumar Jain) J.

//Jaiman//